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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,343	09/17/2003	Jean-Francois Decaux	6604-002	4144

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EXAMINER

PHAM, TAMMY T

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/664,343	<b>Applicant(s)</b> DECAUX ET AL.	
	<b>Examiner</b> Tammy Pham	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12-15-05</u>  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Amendment***

Claims 1, 12 have been amended. Claims 1-20 are pending.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by O’Keeffe et al. (US Application No: 2004/0257317 A1).

**As for claim 1**, O’Keeffe teaches of a display device (Fig. 2, 18) containing: at least one a poster (2) which is provided with an optically transparent window (22) and presenting an external display (18) outside the transparent window (22); and

at least one image-presenting device (Fig. 2) which presents an "internal" display (2) that can be seen through the window (22) in the poster (2);

wherein the display device (Fig. 2) includes adjustment means adapted for physically modifying at least one geometrical parameter selected from: the position of the internal display (2) relative to the poster (2), the shape of the internal display (2), and the size of the internal display (2) in sections [0062-3] (where the adjustment means is the option that both the display and the poster is able to physical change the tilt angles and sizes);

and wherein the geometrical parameter used is such that the internal display (2) is in register with the window (22) in the poster (2) being presented in Fig. 2.

**As for claim 2**, O'Keeffe teaches of the adjustment means comprise an electronic central processing unit (27) belonging to the display device (Fig. 2, 18), the central processing unit (27) having in its memory at least one item of adjustment data corresponding to the geometrical parameter and the central processing unit (27) being adapted for physically modifying the geometrical parameter of the internal display (2) in section [0054]. The section teaches that the microprocessor (27) controls what and how information is displayed upon the panel (18) which is superimposed upon the poster (2) (section [0053]). In section [0062-3], it is taught that the apparatus is able to go through physical changes with its dimensions and inherently the central processing unit (27) is able to adapt itself accordingly to display various images depending on the geometrical parameters of the display(s).

**As for claim 3**, O'Keeffe teaches that the image-presenting device (Fig. 2) is an electronic screen (18), and the central processing unit (27) is adapted for determining in the screen an active portion within which the internal display (2) is presented in section [0053].

**As for claim 4**, O'Keeffe teaches that the electronic central processing unit (27) is adapted for controlling drive means for mechanically moving the image-presenting device (Fig. 2, 18) relative to the poster (2) in section [0053].

**As for claims 5-7**, O'Keeffe teaches of at least one interface (input port, not shown see section [0054]) adapted for loading at least the item of adjustment data into the central processing unit {claim 5}; that the interface comprises at least one data medium reader {claim 6}; and a telecommunications interface {claim 7} in section [0054].

**As for claim 12**, O'Keeffe teaches of a display method for presenting simultaneously in the same display device (Fig. 2) at least one poster (2) which is provided with an optically transparent window (22), and at least one internal display (2) that is presented on an image-presenting device (Fig. 2, 18) and that can be seen through the window (22) in the poster (2), wherein at least one geometrical parameter is physically modified so that the internal display (2) is in register with the window (22) in the poster (2) that is being presented, the geometrical parameter being selected from: the position of the internal display relative to the poster (2), the shape of the internal display (2), and the size of the internal display (2) in sections [0053, 62-63].

**As for claim 13**, O'Keeffe teaches that the image-presenting device (Fig. 2) is an electronic screen (18), and, for modifying the geometrical parameter, an active portion is determined in the screen (18), and the internal display (2) is caused to be displayed in the active portion in section [0053].

**As for claim 14**, O'Keeffe teaches that in order to modify the geometrical parameter, the image-presenting device (Fig. 2, 18) is moved mechanically relative to the poster (2) in section

[0062-3] where O’Keeffe teaches that one of the options to modify the apparatus to be physically change the size of the poster and display.

**As for claim 15**, O’Keeffe teaches that while a poster (2) is being changed, at least one item of adjustment data corresponding to the geometrical parameter is loaded into an electronic central processing unit (27) belonging to the display device (18) via an interface (input port), and the central processing unit (27) physically modifies the geometrical parameter of the internal display (2) as a function of the item of adjustment data in section [0065]. O’Keeffe teaches that screens of data, information and other character forms may be updated by relaying appropriate control signals to the control circuit (27) over the internet or from a central controller.

**As for claims 16-17**, O’Keeffe teaches that the interface comprises a reader interface (input port) for reading data media, and the item of adjustment data is loaded by causing a data medium to be read by the interface {claim 16} and that the interface comprises a telecommunications interface, and the item of adjustment data is downloaded via the telecommunications interface in section [0056].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-11, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over O’Keeffe et al. (US Application No: 2004/0257317 A1) in view of Cabral (US Patent Application No: 20030149601 A1).

**As for claims 8, 9,** O’Keeffe teaches that the display device (18) includes at least one sensor adapted for transferring the data to the central processing unit (27).

O’Keeffe fails to teach that the data is reading data from the poster {claim 8} or that the central processing unit is adapted for downloading at least the item of adjustment data as a function of the data read from the poster {claim 9}.

Cabral teaches that the data adapted to the central processing unit (28) is reading data from the poster (26) {claim 8} and that the central processing unit (28) is adapted for downloading at least the item of adjustment data as a function of the data read from the poster (26) {claim 9} in Figs. 1, 6 (step S120) and in section [0060].

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine have the data transferred to the CPU as taught by O’Keeffe be data from the electronic poster as taught by Cabral in order to provide an electronic billboard with advertising display that can be easily and quickly changed (see Cabral: section [0005]).

**As for claims 10, 11,** O’Keeffe teaches that the image-presenting device (Fig. 2) is an electronic screen (18), and, the central processing unit (27) is adapted for downloading, via a communications interface (input port, not shown but in section [0054]) belonging to the display device (Fig. 2), at least one internal display (2) program to be displayed on the screen (18)

{claim 10} in section [0056] and that the central processing unit (27) is adapted for presenting on the screen (18) an internal display (2) program that corresponds to the poster (2) in section [0054].

Cabral teaches that the data is a function of the data read from the poster (26) in section [0060] and in Fig. 6.

**As for claim 18**, O’Keeffe fails to teach that the data is read from the poster, and the item of adjustment data corresponding to the data read from the poster is downloaded.

Cabral teaches that the data is read from the poster (26), and the item of adjustment data corresponding to the data read from the poster (26) is downloaded in section [0059] and in Fig. 6.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine have the data transferred to the CPU as taught by O’Keeffe be data from the electronic poster as taught by Cabral in order to provide an electronic billboard with advertising display that can be easily and quickly changed (see Cabral: section [0005]).

**As for claims 19, 20**, O’Keeffe teaches that the image-presenting device (Fig. 2) is an electronic screen (18), and at least one internal display (2) program is to be displayed on the screen (18) {claim 19}.

O’Keeffe fails to teach that the program is downloaded is a function of the data read from the poster {claim 19} and that the data is selected from a plurality of internal display programs {claim 20}.



Cabral teaches that the data is read from the poster (26), and the item of adjustment data corresponding to the data read from the poster (26) is downloaded in section [0059] and in Fig. 6 and that the data is selected from a plurality of internal display (26, Fig. 1) programs {claim 20}.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine have the data transferred to the CPU as taught by O’Keeffe be data from the electronic poster as taught by Cabral in order to provide an electronic billboard with advertising display that can be easily and quickly changed (see Cabral: section [0005]).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy Pham whose telephone number is (571) 272-7773. The examiner can normally be reached on 8:00-5:30 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tammy Pham  
August 16, 2006



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